UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

James A. Pauling, #181883

Petitioner,

JUDGMENT IN A CIVIL CASE

VS.

Case Number: 2:06-1828-MBS-RSC

Oscar Faulkenberry, Warden of Kershaw Correctional Institution; and Henry McMaster, Attorney General of South Carolina,

Respondents.

Decision on the Record. This action came before the court on the record, Honorable Margaret B. Seymour, U.S. District Judge, presiding. The issues have been reviewed and a decision rendered.

IT IS ORDERED AND ADJUDGED that this Petition is dismissed without prejudice and without requiring Respondents to file a Return. The Petitioner shall take nothing on his Petition filed pursuant to Title 28: U.S.C. 2254.

LARRY W. PROPES, Clerk

By s/Susan K. Sanders

Deputy Clerk

December 7, 2006